

1 UNITED STATES OF AMERICA,

Plaintiff,

2 v.

3 RICHARD ECCLESTON,

4 Defendant.

Case No.: 2:15-cr-00184-JAD-VCF

FINDINGS OF FACT AND
CONCLUSIONS OF LAW

(Third Request)

5
6 FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court
7 finds:

1. Defense Counsel was recently appointed to the case on September 1, 2021.
2. Defense Counsel needs additional time to review discovery in the case.
3. Defendant is incarcerated and Defense Counsel has not yet been able to contact Defendant but
has a meeting scheduled for September 9, 2021.
4. Counsel for the Government has no objection to the continuance.
5. Denial for this request for continuance would deny the parties herein time and the opportunity
within which to effectively and thoroughly research and prepare for the hearing in this case,
taking into account the exercise of due diligence.
6. Additionally, denial of this request for continuance would result in a miscarriage of justice.
7. For all the above-stated reasons, the ends of justice would best be served by a continuance of
the preliminary revocation date.
8. This is the third stipulation to continue filed herein.

16 CONCLUSIONS OF LAW

17 Denial of this request would deny the parties herein the opportunity to effectively and
18 thoroughly prepare for the preliminary revocation hearing.

4 **IT IS ORDERED** that preliminary revocation hearing currently scheduled for September 10,
5 2021 at the hour of 10:00 a.m., be vacated and continued to this 8th day
of October, 2021 at 10:00 am in LV Courtroom 3D before Magistrate Judge Cam Ferenbach.


U.S. DISTRICT JUDGE